IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGEMENT NO. 218 OF 2004

IN

SUMMARY SUIT NO.495 OF 2004

Shalini S. Marathe & Anr. .. Plaintiffs

versus

Vishwas G. Tendolkar, Prop. of

Navprakash Printing Press .. Defendants

...

Mr.Tejas Bhatt for the plaintiff.

Mr.A.S Malvankar for the defendant.

CORAM : D.G. KARNIK,J.

DATED : 7th March 2005.

P.C.:

1. The learned counsel for the parties state that the facts in this Summons for Judgement and the suit are identical with the Summons for Judgement no.215 of 2004 in Summary Suit no.496 of 2004, save and except that plaintiff no.2 is another daughter of

plaintiff no.1 in this suit. Hence, for the reasons recorded in Summons for Judgement 215 of 2004, the defendant is granted conditional leave to defend the suit subject to their depositing in the Court a sum of Rs.50,000/- within a period of four weeks. On such deposit, the plaintiff shall be entitled to withdraw the said sum by furnishing security to the satisfaction of Prothonotary and Sr. Master. On failure to deposit, the plaintiff shall have liberty to apply.

5. On deposit of the money, suit shall stand transferred to the list of commercial causes. The defendant shall file written statement within a period of one month.

D.G. KARNIK, J